

Non-Executive Report of the: General Purposes Committee 10th January 2022	 TOWER HAMLETS
Report of: Corporate Director Place – Ann Sutcliffe	Classification: Open (Unrestricted)
Member Enquiries Policy and Process	

Originating Officer(s)	Raj Chand
Wards affected	All

Executive Summary

The purpose of the report is to share the improved process for dealing with Members Enquiries. The report was previously submitted to the General Purposes Committee at the meeting of 5 October 2021 and deferred to January 2022 meeting, pending the completion of a number of actions:

- 1) A meeting to be held with Registered Social Landlords to discuss Members Enquiries and improvements from both the Council's and Registered Social Landlords' side.
- 2) Performance reports to be produced and shared with RSLs
- 3) Performance Monitoring to be put in place to monitor progress of Members Enquiries
- 4) To review resource requirements for dealing with Members Enquiries

Recommendations:

The General Purposes Committee is recommended to:

1. Note the report for information and
2. The new Policy and corresponding process be adopted

1. REASONS FOR THE DECISIONS

- 1.1 The Members Enquiry process is lengthy and onerous resulting in delays for residents receiving responses. The new process streamlines the procedure to make it more efficient.

2. ALTERNATIVE OPTIONS

- 2.1 Remaining with the current process, resulting in delays and dissatisfaction for residents and Members and added work pressures for staff.

3. DETAILS OF THE REPORT

There is consensus among Members and staff that the current Member Enquiries (ME) Process requires a review to ensure it is fit for purpose and streamlined to reduce processing times and improve efficiency and outcomes for residents.

In January 2021, following a restructure and savings being made, the ME Function transferred from Democratic Services (DS) to the Information Governance (IG) Service and this provided an opportunity to assess the function and analyse the process.

It is worth noting for contextual purposes that the volume of MEs is high with 6580 recorded in 2016/17, 8099 reported in 2017/18, the numbers reduced to 4809 in 2020/21 but are now running at an average of 470 per month (January 2021 to November 2021). It is also worth noting; a number of MEs being submitted are in fact service requests which can be dealt with by the Corporate Contact Centre Team directly as opposed to going through a lengthy ME process.

As part of the review the IG Service consulted with relevant stakeholders in order to gather intelligence, comments and feedback on ways to streamline the ME Process and to ensure it is robust. During these discussions, a new ME Policy and Process was drafted, which reduces the internal procedural footprint that Members and staff carry out in discharging their duties in relation to MEs. **Appendix 1.**

The new ME Policy and Process simplifies existing protocols by reducing the number of steps interested parties need to take in managing MEs and also addresses historic issues around the delivery of the service.

On 15 June 2021, the new ME Policy and Process was agreed by CLT and this triggered the circulation of the new process, alongside general ME principles, to Members for comments and feedback.

To facilitate this, there were a series of meetings organised by the Director of Customer Services, other senior staff and leaders of the political parties, together with senior staff attendance at the General Purposes Committee on 24 June 2021 to present the proposals. There were also numerous ME Sessions at the end of August 2021. Feedback and comments made by Members during this process enabled the new ME Policy and Process to be revised accordingly. The main elements, although not exhaustive, are briefly listed in **Appendix 2** under separate headings for ease of reference.

Need to Know Principle

The Council operates the Need to Know Principle for MEs, on which enquiries are rejected, on the basis that the Member has no legitimate reason to request the specific information sought, such as information relating to a Ward they do not represent. This has created unease among Members.

The Need to Know Principle will be abolished in terms of the ME Process 'only'. But will still be in place for other information requests that fall into categories such as Subject Access Requests, Environmental Information Requests and Freedom of Information Requests.

The Need to Know Principle will remain as a concept which is enshrined in the Council's Constitution for other areas of the council's work, and will still be used in situations such as requests for private Committee reports, draft policy papers and personal information about people.

Information Law

The current practice is that an ME is rejected where staff deem the enquiry as an information request under Information Law, for example where an FOI exemption could apply. This has created unease among Members.

This practice will be abolished.

MEs will now be dealt with as such and responding services will be at liberty to liaise directly with Members to narrow, shorten and condense enquiries if and where relevant and appropriate. Where personal data is being requested the ME should state permission has been granted for data to be shared.

Sending the ME Response

There is at present a complex process where there are numerous steps taken by staff in the IG Service, the responding service and the relevant Member before a response is sent. This process causes delays and has created unease among Members.

This process will be abolished.

ME responses will now be sent by the responding service directly to the resident, with a copy to the IG Service and the Member, with a caveat informing the resident that the response has not been authorised by the Member to ensure a speedy response but that a copy has been sent to the respective member.

Response Quality and Timescales

Staff and Members agree that the general quality of responses provided by responding services can be improved and furthermore, there needs to be an adherence to ME timeframes.

ME responses will now be approved by a Senior Manager or a staff member with sufficient and appropriate knowledge and experience of responding to MEs under delegated authority, which would increase the quality of responses.

Regarding timescales, as the new ME Policy and Process has been streamlined, the expectation is that the delays will generally not occur.

Furthermore, the IG Service has now secured an additional resource in the form of a full-time member of staff for up to six months in order to solely screen, log and process MEs. The extra staff member in the IG Service will prevent continuous delays, ensure speedier processing of MEs and sufficient cover during periods of annual leave.

Registered Social Landlords (RSLs)

Currently once an RSL has completed a response, it is sent to the IG Service, which subsequently forwards the response to the Member and/or the resident, causing delays as the IG Service is acting as a mailbox.

ME responses will now be sent by the RSL directly to the resident with a copy to the Member and the IG Service, saving time and staff resources.

4. Actions from the previous General Purposes Committee meeting 5th October 2021

- 1) A meeting to be held with Registered Social Landlords to discuss Members Enquiries and improvements from both the Council's and Registered Social Landlords' side.

A meeting took place on the 30 November 2021 with Tower Hamlets Housing Forum (THHF), Councillor Danny Hassell, Councillor Helal Uddin, Councillor Tariq Khan and Councillor Peter Golds. Feedback was provided and a number of actions agreed to improve the process of dealing with Members Enquiries.

- 2) Performance reports to be produced and shared with RSLs.

Reports were provided to RSLs and further work will be undertaken over December and January 2022 to cleanse data in systems, to bring it up to date and ensure accuracy. Furthermore, a regular report will be provided to RSLs on a quarterly basis to include outstanding cases and performance of responses

- 3) Performance Monitoring to be put in place to monitor progress of Members Enquiries.

The Information Governance System (iCaswork) has not been upgraded for some time and progress is now being made to update the system. Having had conversations with other Councils using the latest version; feedback has been positive with regards to the improved user friendliness of the system and better reporting functionality. Reports will be developed for Members once the upgrade has been applied. In the interim an individual report will be sent to Members providing information on the position of cases.

*Since December 2020 – December 2021
5222 ME's have been received – of which 3133 (60%) have been responded to within timescales. With the additional resource now in place since early December this will be improved.*

4) To review resource requirements for dealing with Members Enquiries

Resources to deal with Member Enquiries across the Information Governance team are being reviewed as part of the wider Information Governance Review which is taking place. Early indications are, (caveated with the approval of the new process) if the process is streamlined and based on the numbers - a full time position which is in place and an additional support post is sufficient to undertake the work needed to a good standard. The Information Governance Review will also inform the future structure of the team and its work, including how the wider team will support the day-to-day work. Members Enquiries have been prioritised in the review with progress reports being provided to the Support Services Board chaired by Corporate Director Denise Radley. At the current time 2 full time members of staff (1 permanent and 1 temporary until May 2022) is sufficient resource to deal with the numbers of Member Enquiries being received. The wider Information Governance Team is also assisting where necessary. Longer term plans are being developed for the overall structure and work of the Information Governance Team moving forward.

5. General

The new ME Policy and Process is an open document, which will allow ongoing scrutiny, maintenance and updating of the document. It is anticipated that the Council will initiate use of the new ME Policy and Process from March 2022 with a review 6-9 months therefrom.

6. EQUALITIES IMPLICATIONS

There are no implications

5. OTHER STATUTORY IMPLICATIONS

The report provides detail on how enquiries will be dealt with should they fall into the category of sharing personal data.

6. COMMENTS OF THE CHIEF FINANCE OFFICER

There are no direct financial implications arising from this report. The short term extra officer in the IG service for six months is being funded through an existing Corporate budget.

7. COMMENTS OF LEGAL SERVICES

7.1 The Council has the legal power to make the alterations to the procedure suggested in this report.

7.2 The new procedure refers to times when council officers may refuse the release of information to members and the example of confidentiality is given. However, under the Local Government Act 1972 there are times when (in respect of committees and committee information) the public should be and must be excluded from such meetings or for such information to be otherwise withheld from the public domain. Broadly speaking, these times will be adhered to when Council officers are considering the release of information following a members' enquiry so as to provide consistency of approach by which Council information enters the public domain.

Linked Reports, Appendices and Background Documents

Linked Report

- NONE

Appendices

- Appendix A – Policy and Process
- Appendix B – Feedback from Member consultations sessions

Officer contact details for documents:

NA